

**Notice of Allowability**

Application No.

10/765,345

Examiner

Lev I. Iwashko

Applicant(s)

BRESS ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/12/2006.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 6/21/2006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
TUAN V. THAI  
PRIMARY EXAMINER

**DETAILED ACTION**

***Response to Amendment***

1. The amendments made to Claims 1 and 13 have been considered.
2. There were no amendments made to claims 4-6 and 7-8, so the 35 U.S.C. 112 rejections remain valid. However, an applicant-initiated interview caused the Examiner to consider making amendments to claims 4-6 and 7-8 to put them in condition for allowance.
3. The amendments made to Claim 1 and 13 were not sufficient for allowance, so the Examiner further amended the claims, altering the language to overcome potential 35 U.S.C. 112 rejections, as well as 35 U.S.C. 102 rejections.
4. Claims 1-15 are now in condition for allowance.

**EXAMINER'S AMENDMENT**

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
6. Authorization for this examiner's amendment was given in a telephone interview with Steven Bress on 6/21/2006.

- Claim 1. A stand alone, dedicated function restoring device for changing ~~the~~ a state of a long-term memory device controller and subsequently restoring said storage device controller to its said storage device controller's original state comprising:
- an interface for connecting to a storage device;
  - and memory to store critical data from the storage device;

- and a processor coupled to the interface and the memory, the processor issuing queries and commands to the storage device's controller,
- the processor storing all or part of the response in the memory, upon command the processor issues commands to restore the storage device's controller to its original state.
- wherein the storage device is operating system independent.

Claim 4. (AMENDED) The restoring device of claim 3, wherein the processor issues commands to retrieve the storage device's unique identification number and reported drive size from ~~the Identify Device Packet~~ a device identification data packet and stores this information in the memory.

Claim 5. (AMENDED) The restoring device of claim 3, wherein the processor issues further commands to the storage device to obtain data to allow the processor to analyze the full size of the storage device and subsequently issue commands to change the drive size reported by the storage device's controller in ~~the Identify Device Packet~~ a device identification data packet, to enable a host to read data from the entire drive.

Claim 6. (AMENDED) The restoring device of claim 3, wherein the processor, upon command, issues commands to restore the drive size reported by the storage device's controller in ~~the Identify Device Packet~~ a device identification data packet, to its original state.

Claim 7. (AMENDED) The restoring device of claim 3, wherein the processor, upon command, issues a command to switch an Enable/Disable Address Offset Mode.

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- Claim 8. (AMENDED) The restoring device of claim 3, wherein the processor, upon command, issues a command to restore ~~the~~ an Enable/Disable Address Offset Mode to its original state.
- Claim 13. (AMENDED) A stand alone, dedicated function restoring device for changing ~~the~~ a state of a long-term memory device controller and subsequently restoring said storage device controller to ~~its~~ said storage device controller's original state comprising:
- means for interfacing with a storage device;
  - means for storing information from the storage device's controller;
  - means for querying and issuing commands to a the storage device controller;
  - means for restoring the storage device's controller to said storage device's controller's original state,
  - wherein the storage device is operating system independent.

***Allowable Subject Matter***

7. Claims 1-15 are allowed.

8. The following is an examiner's statement of reasons for allowance:

After the Examiner's Amendment, the amended claims 1 and 13 differ only in minor attributes. Otherwise, the claims teach the same information. Therefore, the analysis of patentability shall be performed on Claim 1 as follows in the next paragraph.

9. The allowability of Claim 1 will be discussed in detail. The scope of Claim 1 includes a stand-alone, dedicated function restoring device for changing the state of a long-term memory device controller and subsequently restoring the controller to its original state. While this is not in and of itself a novel idea, the originality comes into play when this is limited to the storage system being operating system independent. Since there is no dependency allowed for this

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system, the combination of the system and its functions make this is a novel notion that makes the invention allowable.

10. The dependent Claims 2-12 and 14-15 are allowed due to their dependence on the allowable independent claims.

11. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

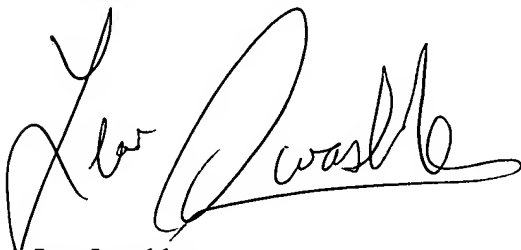
### ***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lev I. Iwashko whose telephone number is (571)272-1658 and fax number is (571)273-1658. The examiner can normally be reached on Monday-Thursday from 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (571)272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (this is a toll-free phone number).



Lev Iwashko



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